

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to transfer assets and Certificate Nos. 517-W and 450-S of Service Management Systems, Inc. to Aquarina Utilities, Inc., in Brevard County.

DOCKET NO. 110061-WS
ORDER NO. PSC-12-0577A-PAA-WS
ISSUED: October 25, 2012

AMENDATORY ORDER

BY THE COMMISSION:

By Proposed Agency Action Order No. PSC-12-0577-PAA-WS, issued October 25, 2012, this Commission proposed to set net book values and decline a positive acquisition adjustment. However, in the ending language of that Order, the last day to protest that Order was inadvertently set as November 8, 2012. The correct ending language and last day to protest is attached to this Amending Order, and Order No. PSC-12-0577-PAA-WS shall be amended to reflect the attached ending language.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-12-0577-PAA-WS is hereby amended to reflect the correct ending language and due date in the attached ending language. It is further

ORDERED that Order No. PSC-12-0577-PAA-WS is reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 25th day of October, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

RRJ

DOCUMENT NUMBER-DATE

07292 OCT 25 09

FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

As identified in the body of this order, our action concerning the net book values and acquisition adjustments proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 15, 2012. If such a petition is filed, mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing. In the absence of such a petition, this order shall become effective and final upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

Any party adversely affected by the Commission's final action approving the transfer of assets and Certificate Nos. 517-W and 450-S in this matter may request: (1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.